



**Trinidad and Tobago
Stakeholder Report for the United Nations Universal Periodic Review**

Submitted by The Advocates for Human Rights,
a non-governmental organization in special consultative status

The World Coalition Against the Death Penalty
And
The Greater Caribbean for Life
for the 39th Session of the Working Group on the Universal Periodic Review
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Founded in 1983, **The Advocates for Human Rights** (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. In 1991, The Advocates adopted a formal commitment to oppose the death penalty worldwide and organized a death penalty project to provide pro bono assistance on post-conviction appeals, as well as education and advocacy to end capital punishment. The Advocates currently holds a seat on the Steering Committee of the World Coalition against the Death Penalty.

The World Coalition Against the Death Penalty, an alliance of more than 160 NGOs, bar associations, local authorities and unions, was created in Rome on May 13, 2002. The aim of the World Coalition is to strengthen the international dimension of the fight against the death penalty. Its ultimate objective is to obtain the universal abolition of the death penalty. To achieve its goal, the World Coalition advocates for a definitive end to death sentences and executions in those countries where the death penalty is in force. In some countries, it is seeking to obtain a reduction in the use of capital punishment as a first step towards abolition.

The Greater Caribbean for Life (GCL) is an independent, not-for-profit civil society organisation, incorporated under the laws of the Commonwealth of Puerto Rico. GCL is the only organisation in the region that is devoted to working towards the abolition of the death penalty in the region. It has been active in raising awareness of the issues surrounding the death penalty, and has been supporting Caribbean activists and abolitionist organisations in the region since its establishment in 2013, following a Conference in Trinidad and Tobago, which was attended by abolitionists from 12 Greater Caribbean countries as well as abolitionists further afield.

I. EXECUTIVE SUMMARY

1. This report addresses Trinidad and Tobago's compliance with its human rights obligations with regard to the death penalty and related issues, including acceptance of international norms, the prohibition on torture and cruel, inhuman, or degrading treatment, detention conditions, the administration of justice and fair trials, and persons with disabilities.
2. This report recommends that Trinidad and Tobago amend its laws to remove the mandatory death penalty for murder and adopt an alternative sentencing framework; establish a formal and immediate moratorium on the death penalty; withdraw its reservation to the first Optional Protocol to the International Covenant on Civil and Political Rights regarding death penalty cases; and ratify, without reservations, the Second Optional Protocol to the International Covenant on Civil and Political Rights. This report also recommends that Trinidad and Tobago begin developing the domestic framework necessary to enable it to sign, ratify, and implement the Convention Against Torture; take steps to improve conditions in detention facilities; improve funding for mental health assessments; and implement other due process reforms to ensure that people accused of crimes are tried in an expeditious, fair, and just manner.

II. BACKGROUND AND FRAMEWORK

A. 2016 Universal Periodic Review of Trinidad and Tobago

3. During its second-cycle Universal Periodic Review in 2016, Trinidad and Tobago received 20 recommendations related to the death penalty. Trinidad and Tobago did not support any recommendations calling on it to abolish the death penalty. It did support recommendations to improve detention conditions, but detention conditions appear to remain a concern.

1. *Second Optional Protocol*

Status of Implementation: Not Accepted, Not Implemented

4. Trinidad and Tobago received 8 recommendations to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.¹ These recommendations include establishing a formal moratorium on the death penalty (Portugal and Australia)² and establishing an official moratorium on executions (Netherlands).³ Trinidad and Tobago did not accept any of them⁴ and has not implemented them.

2. *Abolition of Death Penalty*

Status of Implementation: Not Accepted, Not Implemented

5. Apart from recommendations to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, Trinidad and Tobago received 12 recommendations to repeal or abolish the death penalty.⁵ Trinidad and Tobago did not accept or implement these recommendations.⁶ Trinidad and Tobago did not even support the recommendation to “[e]ncourage an informed debate among the population on the topic of the death penalty and promote its de jure abolition (Switzerland).”⁷

6. Trinidad and Tobago also noted a recommendation to “[a]dopt a three-tiered classification of murder that will provide sentencing judges with the discretion to impose a sentence other than death and thereby preclude its mandatory imposition (United Kingdom of Great Britain and Northern Ireland).”⁸

3. *Detention Conditions*

Status of Implementation: Supported, Partially Implemented

7. Trinidad and Tobago supported⁹ recommendations to improve detention conditions, including to “[e]nact comprehensive prison and related judicial reform to ensure that conditions of detention are in conformity with the United Nations Standard Minimum Rules for the Treatment of Prisoners” (Canada) and “provid[e] sufficient resources to the body responsible for investigating allegations of torture and ill-treatment and ensuring its independence.” (France).¹⁰ Trinidad and Tobago has made some initial steps toward implementing these recommendations.

B. Domestic Legal Framework

8. Trinidad and Tobago is the only country in the Americas region to retain the mandatory death penalty for murder.¹¹ Trinidad and Tobago imposes a mandatory death penalty for murder without a penalty reduction for mitigating circumstances. Under the Offences Against the Person Act of 1925, “every person convicted of murder shall suffer death.”¹²
9. Murder is defined as unlawfully killing another person with the intent to kill or to cause grievous bodily harm. The intent to kill is therefore not required in order to trigger a conviction for murder. A person may also be convicted of murder under the common law doctrine of joint enterprise. Under the doctrine of joint enterprise, a person may be convicted of murder if they acted with another person in a “common design” that causes death or grievous bodily harm which was intended or contemplated as a possible consequence of the common design, and if the defendant committed an act in furtherance of that common design.
10. The last recorded executions carried out by the government of Trinidad and Tobago occurred in 1999 when ten men were hanged.¹³ In June 1999, Dole Chadee and eight of his associates were hanged. On 28 July 1999, Anthony Briggs was hanged.¹⁴
11. The Judicial Committee for the Privy Council (Privy Council) has ruled that the mandatory death penalty for murder is unconstitutional in Trinidad and Tobago because it violates the constitutional right not to be subjected to cruel and unusual punishment. The government contends that the penalty is nevertheless protected by a savings clause in section 6 of the Constitution, which states that: “Nothing in sections 4 or 5 [Recognition and Protection of Fundamental Human Rights and Freedoms] shall invalidate an existing law.”¹⁵ The government argues, therefore, that the mandatory sentence can only be abolished through the enactment of a law.
12. Trinidad and Tobago also imposes the death penalty for treason.¹⁶ The only exceptions to the death penalty are for persons with intellectual disabilities, individuals under the age of 18 at the time of the offense, and pregnant women.¹⁷ The law explicitly protects people with psycho-social and intellectual disabilities: “When a person kills or is a party to the killing of another, he shall not be convicted of murder if he was suffering from such

abnormality of mind (whether arising from a condition of arrested or retarded development of mind or any other inherent cause or induced by disease or injury) as substantially impaired his mental responsibility for his acts and omissions in doing or being a party to a killing.”¹⁸

III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

Right or area 2.1. Acceptance of international norms

13. Since its second-cycle Universal Periodic Review in 2016, Trinidad and Tobago has not signed or ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights or the Convention against Torture¹⁹ Trinidad and Tobago also has not signed or ratified the Optional Protocol to the Convention against Torture.
14. Trinidad and Tobago has not withdrawn its reservation to Article I of the Optional Protocol to the International Covenant on Civil and Political Rights (Optional Protocol). The government of Trinidad and Tobago’s reservation to Article I states in part: “Trinidad and Tobago re-accedes to the Optional Protocol ... with a Reservation to article 1 thereof to the effect that the Human Rights Committee shall not be competent to receive and consider communications relating to any prisoner who is under sentence of death in respect of any matter relating to his prosecution, his detention, his trial, his conviction, his sentence or the carrying out of the death sentence on him and any matter connected therewith”.²⁰ This continued reservation has raised doubts among other countries, including the Netherlands and Denmark, regarding Trinidad and Tobago’s commitment to the object and purpose of the Optional Protocol.²¹

Right or area 12.4. Death penalty

15. As noted in paragraph 8 above, the laws of Trinidad and Tobago impose a mandatory death penalty for murder. Laws that mandate the death penalty for certain crimes violate international standards by barring judges from exercising discretion in sentencing, precluding them from adjusting punishments based on the defendant’s personal circumstances or the circumstances under which the offense was committed.
16. The doctrine of joint enterprise, described in paragraph 9 above, has been criticized as unduly harsh in Trinidad and Tobago, where it can result in someone being convicted for murder—and subject to the mandatory death penalty—even if the person neither intended death or serious injury to the victim nor inflicted the physical harm.²² When Trinidad and Tobago last held executions in 1999, several of the people associated with Dole Chadee were executed after being convicted under the doctrine of joint enterprise.
17. While there had been no reported executions since 1999, Trinidad and Tobago continues to impose new death sentences.²³ Amnesty International reported that Trinidad and Tobago imposed 8 death sentences in 2019, including 5 in the same case.²⁴ As of 2019, 50 individuals are known to be under sentence of death. Trinidad and Tobago follows the United States with the second-highest number of individuals sentenced to death in the America in 2019 and accounts for 80% of the Caribbean total and 59% of the total number of people on death row in the Caribbean.²⁵ Of the 50 people on death row, 12 have spent more than 5 years under sentence of death.

18. Trinidad and Tobago has struggled with high murder rates and low apprehension rates. In 2019, the Police Service indicated that 536 murders had been reported, an increase from 2018. The increase in murders has triggered occasional calls from the public to resume executions.
19. Since the last review period, Trinidad and Tobago again voted against the UN General Assembly's Moratorium Resolution, suggesting the government may wish to carry out executions.²⁶ In 2016, Trinidad and Tobago also rejected all the recommendations it received at its Universal Periodic Review to institute a moratorium on executions.²⁷ The government also indicated "no reluctance" to enforcing the death penalty following the disappearance and murder of Andrea Bharatt in 2020.²⁸
20. Since the last review period, Attorney General Faris al Rawi has also said that he intends to apply the death penalty and he has set up a "tracking committee" to deal with the systemic delays to ensure the effectiveness of enforcing it in accordance with the Privy Council's decision in *Pratt and Morgan v. The Attorney General of Jamaica (Pratt and Morgan)*.²⁹ The Privy Council is the last appellate court of several Commonwealth countries, including Trinidad and Tobago. In *Pratt and Morgan*, the Privy Council held that any delay of more than five years between sentencing and execution was *prima facie* evidence that carrying out the sentence would constitute inhuman or degrading punishment due to severe mental torment inflicted on the men during their prolonged death sentences where the men were kept almost completely isolated and subjected to mental trauma of being weighed and measured for coffins in preparation for their execution.³⁰
21. Studies have consistently shown that the death penalty has not had a unique deterrent effect and has in many ways been a false "solution" to crime rates in the Caribbean.³¹ A study carried out in Trinidad and Tobago found that over a span of 50 years neither imprisonment nor death sentences nor executions had any significant relationship to homicides.³² In 2018, the European Union Delegation expressed to Trinidad & Tobago that it does not believe the death penalty is an effective deterrent to crime and expressed concerns about the country's high crime rate, gang and drug activity, and the significant number of guns on the nation's streets.³³ The European Union also expressed concern that public and political pressure about ongoing crime may lead to increased (and unjustified) use of the death penalty.³⁴
22. There is little evidence of any government efforts to initiate public discourse, informed by international human rights standards and available evidence, about the death penalty or to promulgate informational materials on the death penalty. It appears that little has been done to engage the public in such debates. Additionally, no recent surveys have been conducted to gauge the public's opinion on the continued use of the death penalty in comparison with alternative punishments. As reported by the *Trinidad Guardian* in February 2021, calls for executions have reportedly intensified following the death of Andrea Bharatt.³⁵ A recent survey of other Caribbean countries, however, found that two-thirds of respondents believed the majority of the public in those countries would come to accept a law abolishing the death penalty once such a law was passed and that a majority of the public would immediately accept it.³⁶ In a survey conducted in Trinidad and Tobago, respondents ranked "greater number of executions" as the least effective policy in reducing the incidence of serious violent crime resulting in death, indicating that support for the death penalty is not strongly entrenched and that the public can accept the abolition of the death penalty.³⁷

Right or area 12.5. Prohibition of torture and cruel, inhuman or degrading treatment

23. Trinidad and Tobago is not a party to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment.³⁸ During the second-cycle UPR, the government indicated it was unable to accept recommendations to ratify the Convention because doing so would require significant domestic legislative changes that would require national dialogue and public consultation.³⁹
24. The laws of Trinidad and Tobago prohibit torture and cruel, inhuman or degrading treatment. Despite the prohibition of such practices, there have been reports of police officers and prison guards using excessive force.⁴⁰
25. As noted in the Privy Council's decision in *Pratt and Morgan*, a delay of more than five years between sentencing and execution is *prima facie* evidence that carrying out the sentence would constitute inhuman or degrading punishment. As of 2019, 50 individuals were known to be under sentence of death. Of those individuals, 12 have spent more than 5 years under sentence of death.⁴¹ Implementation of their sentences would constitute inhuman or degrading punishment under the *Pratt and Morgan* standard.⁴²

Right or area 12.6. Conditions of detention

26. Trinidad and Tobago's prison system includes nine facilities. Detention conditions are reported to be harsh due to overcrowding and inadequate lighting, ventilation, and sanitation facilities.⁴³
27. The Immigration Detention Centre (IDC) opened in 2009 and is also known as the Aripo Detention Centre. The IDC was initially intended for short-term detentions but in recent years has been used as a long-term immigration facility to detain unauthorized migrants prior to their removal. Authorities also detain unauthorized migrants at the Coast Guard's Heliport in Chaguaramas.
28. Concerns have been raised regarding the conditions at the IDC facility in particular, and in prior reports, countries have urged the government to take prompt and appropriate measures to improving the living conditions in prisons and detention centers more generally.⁴⁴ The government, however, has not permitted outside observers, such as the United Nations, Amnesty International, the International Committee of the Red Cross, or other nongovernmental organizations to monitor the IDC.⁴⁵ Since the last report, one of the few organizations that was granted access to visit the IDC—the UN Joint Select Committee on Human Rights, Equality and Diversity—observed a range of health and sanitation concerns that placed detainees at heightened risk of harm.⁴⁶ There have been recent reports of detainees protesting the conditions in detention.⁴⁷
29. The overcrowding and health and sanitation concerns have placed detainees at heightened risk during the COVID-19 pandemic. The Joint Select Committee on Human Rights, Equality and Diversity observed that there was a lack of financial resources to provide a designated area for detainees who needed to be quarantined.⁴⁸

Right or area 15.1. Administration of justice & fair trial

30. As of 2018, almost half of the criminal cases in Trinidad's High Courts had been pending for more than 15 years.⁴⁹ At least 52 of the accused died while waiting for their matters to be completed.⁵⁰ These figures were revealed in the Judiciary's 2017-2018 annual report as

a result of a review of the backlog of cases by the Court Performance Reporting and Management initiative. One factor relevant to the backlog is that individuals arrested may face lengthy pretrial detention. Pretrial detainees make up more than half of the prison population, and a detainee’s pretrial detention frequently equals or exceeds the maximum sentence for the alleged crime.⁵¹ While some progress has been reported in addressing the backlog of cases, additional challenges remain, including an insufficient number of judicial officers to decide cases.⁵² Since 2018, there has been little evidence of government efforts to ensure applicable due process safeguards.

Right or area 31. Persons with disabilities

31. During the last UPR, the delegation of Trinidad and Tobago indicated that the death penalty was applicable only for murder and treason and that before such a penalty was applied, due process—involving several safeguards—was carefully observed.⁵³ Since the last review, however, these safeguards have been called into question because courts have sentenced to death individuals who have intellectual and psycho-social disabilities, in violation of international and domestic law, as noted in paragraph 12 above.
32. Trinidad and Tobago has sentenced to death several persons determined to have psycho-social disabilities. In *Chandler v The State* [2018], the Privy Council upheld the conviction and capital sentence, but admitted it was a “troubling case.”⁵⁴ Lawyers for Chandler presented a report from a forensic psychiatrist who has diagnosed him as suffering from episodes of psychosis.⁵⁵ *The Guardian* reported that Death Penalty Project expressed concern over the Chandler case, stating “[t]his is yet another example of someone being sentenced to death who has never been assessed by mental health experts.”⁵⁶ The decision in *Chandler* follows two more convictions of persons with severe psycho-social disabilities in *Lester Pitman and Neil Hernandez v The State* [2017].⁵⁷ These cases raise a serious concern that people with psycho-social disabilities face the death penalty in Trinidad in part because of limited or nonexistent funding for psycho-social disability assessments, precluding defense attorneys from raising the defense in the first instance.

IV. RECOMMENDATIONS

33. This stakeholder report suggests the following recommendations for the Government of Trinidad and Tobago:
 - Abolish the mandatory death sentence for murder and replace it with an alternative sentencing framework that is fair, proportionate, and in compliance with international human rights standards.
 - Impose a formal moratorium on the death penalty effective immediately.
 - Withdraw the reservation to the first Optional Protocol to the International Covenant on Civil and Political Rights concerning communications brought by people under sentence of death.
 - Ratify, without reservations, the Second Optional Protocol to the International Covenant on Civil and Political Rights.
 - Take concrete steps toward developing the domestic framework necessary to enable ratification and implementation of the Convention against Torture.

- Establish an independent, impartial body to monitor and evaluate the conditions of detention at existing facilities, including the Immigration Detention Center and the detention center at Trinidad and Tobago's Coast Guard's Heliport in Chaguaramas.
- Extend an invitation to, and permit visits by, outside observers, such as the United Nations, Amnesty International, the International Committee of the Red Cross, and other nongovernmental organizations so that they can monitor detention conditions and treatment of people in detention.
- Create an independent authority to conduct impartial investigations of allegations of torture, and other cruel, inhuman, and degrading treatment. Prioritize allegations raised by individuals sentenced to death.
- Provide guidance and resources to all detention facilities to ensure the protection of the health and safety of all detained persons, staff, and visitors during the COVID-19 pandemic.
- Collaborate with abolitionist civil society organizations in the region to conduct a comprehensive public awareness-raising campaign to educate the public about international human rights standards as they pertain to the death penalty and about alternatives to the death penalty.
- Create a streamlined process to facilitate the immediate release of any person who has been held in pretrial detention for a term longer than the maximum sentence for the crimes with which they have been charged.
- Establish a legal framework that requires a timely and thorough mental health evaluation of any suspect charged with murder, and fully fund such evaluations.
- Immediately conduct a review of the status of all persons on death row and automatically commute to life imprisonment the death sentence of any person who was sentenced more than five years ago.

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- ¹ *Report of the Working Group on the Universal Periodic Review: Trinidad and Tobago*, (July 15, 2016), U.N. Doc. A/HRC/33/15 ¶¶ 109.1-109.8.
- ² *Report of the Working Group on the Universal Periodic Review: Trinidad and Tobago*, (July 15, 2016), U.N. Doc. A/HRC/33/15 ¶¶ 109.5-109.6.
- ³ *Report of the Working Group on the Universal Periodic Review: Trinidad and Tobago*, (July 15, 2016), U.N. Doc. A/HRC/33/15 ¶ 109.4.
- ⁴ See generally *Report of the Working Group on the Universal Periodic Review Addendum: Trinidad and Tobago*, (Sept. 21, 2016), U.N. Doc. A/HRC/33/15/Add.1.
- ⁵ *Report of the Working Group on the Universal Periodic Review: Trinidad and Tobago*, (July 15, 2016), U.N. Doc. A/HRC/33/15 ¶¶ 108.51, 109.9-109.19.
- ⁶ See generally *Report of the Working Group on the Universal Periodic Review Addendum: Trinidad and Tobago*, (Sept. 21, 2016), U.N. Doc. A/HRC/33/15/Add.1.
- ⁷ *Report of the Working Group on the Universal Periodic Review: Trinidad and Tobago*, (July 15, 2016), U.N. Doc. A/HRC/33/15 ¶ 109.14.
- ⁸ *Report of the Working Group on the Universal Periodic Review: Trinidad and Tobago*, (July 15, 2016), U.N. Doc. A/HRC/33/15 ¶ 108.51; *Report of the Working Group on the Universal Periodic Review Addendum: Trinidad and Tobago*, (Sept. 21, 2016), U.N. Doc. A/HRC/33/15/Add.1 ¶ 21.
- ⁹ *Report of the Working Group on the Universal Periodic Review: Trinidad and Tobago*, (July 15, 2016), U.N. Doc. A/HRC/33/15 ¶ 106.
- ¹⁰ *Report of the Working Group on the Universal Periodic Review: Trinidad and Tobago*, (July 15, 2016), U.N. Doc. A/HRC/33/15 ¶¶ 106.19-106.20.
- ¹¹ Laws of Trinidad and Tobago - Offences Against the Person Act 1925, Section 4. Also available online at https://rgd.legalaffairs.gov.tt/laws2/Alphabetical_List/lawspdfs/11.08.pdf (“4. Every person convicted of murder shall suffer death”).
- ¹² Laws of Trinidad and Tobago - Offences Against the Person Act 1925, Section 4. Also available online at https://rgd.legalaffairs.gov.tt/laws2/Alphabetical_List/lawspdfs/11.08.pdf (“4. Every person convicted of murder shall suffer death”).
- ¹³ Amnesty International UK, Press Release, Trinidad and Tobago: First execution in ten years threatened (July 31, 2009). Also available online at <https://www.amnesty.org.uk/press-releases/trinidad-and-tobago-first-execution-ten-years-threatened#:~:text=Ronald%20Tiwarie%20was%20sentenced%20to%20death%20on%204%20August%202004,when%2010%20men%20were%20hanged>.
- ¹⁴ Email correspondence with Greater Caribbean for Life, 16 Mar. 2021, on file with The Advocates for Human Rights.
- ¹⁵ Caribbean Death Penalty Research, *The Death Penalty in Trinidad and Tobago* (last visited Feb. 24, 2021), <https://caribbeanddeathpenaltyresearch.wordpress.com/home/trinidadtobago/>.
- ¹⁶ Laws of Trinidad and Tobago – Treason Act, ch. 11:03 (Act 16 of 1842), Article 2.
- ¹⁷ Laws of Trinidad and Tobago - Offences Against the Person Act 1925, Section 4(A) (“Where a person kills or is a party to the killing of another, he shall not be convicted of murder if he was suffering from such abnormality of mind (whether arising from a condition of arrested or retarded development of mind or any inherent causes or induced by disease or injury) as substantially impaired his mental responsibility for his acts and omissions in doing or being a party to the killing”); 75 (“The sentence of death shall not be pronounced on or recorded against a person convicted of an offence if it appears to the Court that at the time when the offence was committed he was under eighteen years of age.”). Also available online at https://rgd.legalaffairs.gov.tt/laws2/Alphabetical_List/lawspdfs/11.08.pdf; Criminal Procedure Act, ch. 12:02, Section 62 (“A pregnant woman who is convicted of a death-eligible offense shall instead

be sentenced to life imprisonment upon a factual determination by the jury that she is pregnant”). Also available online at https://rgd.legalaffairs.gov.tt/laws2/Alphabetical_List/lawspdfs/12.02.pdf.

¹⁸ Laws of Trinidad and Tobago - Offences Against the Person Act 1925, Section 4A(1). Also available online at https://rgd.legalaffairs.gov.tt/laws2/Alphabetical_List/lawspdfs/11.08.pdf

¹⁹ *Report of the Working Group on the Universal Periodic Review: Trinidad and Tobago*, (July 15, 2016), U.N. Doc. A/HRC/33/15 ¶¶ 109.1; United Nations Treaty Collection, ch. IV Human Rights [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-12&chapter=4&clang=_en]

²⁰ United Nations Treaty Collection, ch. IV Human Rights [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-5&chapter=4&clang=_en#EndDec]

²¹ United Nations Treaty Collection, ch. IV Human Rights [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-5&chapter=4&clang=_en#EndDec]

²² Caribbean Death Penalty Research [<https://caribbeanddeathpenaltyresearch.wordpress.com/particular-issues/#Doctrine-of-Joint-Enterprise-and-Felony-Murder-Rule>]

²³ Amnesty International, *Countries: Trinidad and Tobago 2019*. Also available online at <https://www.amnesty.org/en/countries/americas/trinidad-and-tobago/report-trinidad-and-tobago/>.

²⁴ Amnesty International Global Report, *Death Sentences and Executions 2019*, (Apr. 2020). Also available online at <https://www.justice.gov/file/1272316/download>.

²⁵ Amnesty International Global Report, *Death Sentences and Executions 2019*, (Apr. 2020). Also available online at <https://www.justice.gov/file/1272316/download>.

²⁶ UN General Assembly Resolution 73/175, U.N. Doc. A/RES/73/175 (Jan. 23, 2019).

²⁷ *Report of the Working Group on the Universal Periodic Review: Trinidad and Tobago*, (July 15, 2016), U.N. Doc. A/HRC/33/15. Also available online at <https://www.ohchr.org/EN/HRBodies/UPR/Pages/TTindex.aspx>.

²⁸ Bavita Gopaulchan, *AG: Govt not opposed to death penalty*, Trinidad & Tobago Guardian (Feb. 17, 2021). Also available online at <https://www.guardian.co.tt/news/ag-govt-not-opposed-to-death-penalty-6.2.1290508.801a97746e>.

²⁹ Pratt and Morgan v. Attorney General for Jamaica [1993] Appeal No. 10 (P.C. 1993); Azad Ali, *Trinidad and Tobago to resume hanging*, Caribbean Life (Nov. 30, 2015). Also available online at <https://www.caribbeanlifeneews.com/trinidad-and-tobago-to-resume-hanging/>.

³⁰ The Death Penalty Project, Earl Pratt and Ivan Morgan [<https://www.deathpenaltyproject.org/story/earl-pratt-and-ivan-morgan/>]

³¹ Jada Loutoo, *5 Sentenced to Hang*, Trinidad and Tobago Newsday (Dec. 17, 2019). Also available online at <https://newsday.co.tt/2019/12/17/5-sentenced-to-hang/>.

³² Amnesty International Global Report, *Death Sentences and Executions 2018*, (Apr. 2019). Also available online at <https://www.amnesty.org/download/Documents/ACT5098702019ENGLISH.PDF>.

³³ Leah Sorias, *Death penalty not the answer, T&T told by EU*, Trinidad Daily Express (May 8, 2018). Also available online at https://trinidadexpress.com/news/local/death-penalty-not-the-answer-t-t-told-by-eu/article_b5664372-52f6-11e8-98e8-774d0bec7865.html.

³⁴ Leah Sorias, *Death penalty not the answer, T&T told by EU*, Trinidad Daily Express (May 8, 2018). Also available online at https://trinidadexpress.com/news/local/death-penalty-not-the-answer-t-t-told-by-eu/article_b5664372-52f6-11e8-98e8-774d0bec7865.html.

³⁵ Bavita Gopaulchan, *AG: Govt not opposed to death penalty*, Trinidad & Tobago Guardian (Feb. 17, 2021). Also available online at <https://www.guardian.co.tt/news/ag-govt-not-opposed-to-death-penalty-6.2.1290508.801a97746e>.

³⁶ The Death Penalty Project, *Sentenced to death without execution: Why capital punishment has not yet been abolished in the Eastern Caribbean and Barbados*, by Roger Hood and Florence Seemungal (2020), 43. Also available online at <https://www.deathpenaltyproject.org/knowledge/sentenced-to-death-without-execution-why-capital-punishment-has-not-yet-been-abolished-in-the-eastern-caribbean-and-barbados/>.

³⁷ The Death Penalty Project, *Sentenced to death without execution: Why capital punishment has not yet been abolished in the Eastern Caribbean and Barbados*, by Roger Hood and Florence Seemungal (2020), 43. Also available

online at <https://www.deathpenaltyproject.org/knowledge/sentenced-to-death-without-execution-why-capital-punishment-has-not-yet-been-abolished-in-the-eastern-caribbean-and-barbados/>.

³⁸ United Nations Human Rights Treaty Bodies, UN Treaty Body Database. Also available online at https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/Treaty.aspx?CountryID=177&Lang=EN.

³⁹ *Report of the Working Group on the Universal Periodic Review Addendum: Trinidad and Tobago*, (Sept. 21, 2016), U.N. Doc. A/HRC/33/15/Add.1.

⁴⁰ United States Department of State, *Country Reports on Human Rights for 2019: Trinidad and Tobago*, Bureau of Democracy, Human Rights and Labor (2019). Also available online at <https://www.state.gov/wp-content/uploads/2020/02/TRINIDAD-AND-TOBAGO-2019-HUMAN-RIGHTS-REPORT.pdf>.

⁴¹ Amnesty International Global Report, *Death Sentences and Executions 2019*, (Apr. 2020), 18. Also available online at <https://www.justice.gov/file/1272316/download>.

⁴² Amnesty International Global Report, *Death Sentences and Executions 2019*, (Apr. 2020), 18. Also available online at <https://www.justice.gov/file/1272316/download>

⁴³ United States Department of State, *Country Reports on Human Rights for 2019: Trinidad and Tobago*, Bureau of Democracy, Human Rights and Labor (2019). Also available online at <https://www.state.gov/wp-content/uploads/2020/02/TRINIDAD-AND-TOBAGO-2019-HUMAN-RIGHTS-REPORT.pdf>.

⁴⁴ *Report of the Working Group on the Universal Periodic Review: Trinidad and Tobago*, (July 15, 2016), U.N. Doc. A/HRC/33/15. Also available online at <https://www.ohchr.org/EN/HRBodies/UPR/Pages/TTindex.aspx>.

⁴⁵ Amnesty International, “Americas: Governments must halt dangerous and discriminatory detention of migrants and asylum seekers,” (Apr. 2, 2020). Also available online at <https://www.amnesty.org/en/latest/news/2020/04/americas-halt-dangerous-discriminatory-detention-migrants-asylum-seekers/>.

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